



## City of Kelowna Regular Council Meeting Minutes

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| Date:           | Monday, October 5, 2015  |
| Location:       | Council Chamber<br>City Hall, 1435 Water Street  |
| Members Present | Mayor Colin Basran, Councillors Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack   |
| Members Absent  | Councillor Maxine DeHart   |
| Staff Present   | Acting City Manager, Rob Mayne; City Clerk, Stephen Fleming; Community Planning Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Urban Planner, Ryan Roycroft*; Utility Services Manager, Kevin Van Vliet*; Cultural Services Manager, Sandra Kochan*; Revenue Manager, Lynn Walter*; Financial Services Director, Genelle Davidson*; Property Management Manager, Mike Olson*; Council Recording Secretary, Arlene McClelland |

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:30 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Councillor Sieben requested the reason for his conflict with Item No. 4.4 be amended to include "in close proximity".

Moved By Councillor Hodge/Seconded By Councillor Sieben

**R757/15/10/05** THAT the Minutes of the Regular Meetings of September 28, 2015 be confirmed as amended.

**Carried**

### 3. Development Application Reports & Related Bylaws

3.1 3473 Scott Road, Z15-0040 - Frank & Dawn Filice

## Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Donn

**R758/15/10/05** THAT Rezoning Application No. Z15-0040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 21, District Lot 134, ODYD, Plan 3886, located at 3473 Scott Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated October 5, 2015.

**Carried**

**3.2 3473 Scott Road, BL11151 (Z15-0040) - Frank & Dawn Filice**

Moved By Councillor Donn/Seconded By Councillor Hodge

**R759/15/10/05** THAT Bylaw No. 11151 be read a first time.

**Carried**

**3.3 980 Mayfair Road, Z15-0038 - Justin & Rebecca Bullock**

## Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Stack

**R760/15/10/05** THAT Rezoning Application No. Z15-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 143 ODYD Plan 22053, located at 980 Mayfair Rd, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated October 5, 2015;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to approval of the Ministry of Transportation and Infrastructure.

**Carried**

**3.4 980 Mayfair Road, BL11152 (Z15-0038) - Justin & Rebecca Bullock**

Moved By Councillor Hodge/Seconded By Councillor Gray

**R761/15/10/05** THAT Bylaw No. 11152 be read a first time.

**Carried**

### 3.5 3461 Scott Road, Z15-0042 - Frank & Dawn Filice

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

**R762/15/10/05** THAT Rezoning Application No. Z15-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 22, District Lots 134 and 135, ODYD, Plan 3886, located at 3461 Scott Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval set out in Attachment "A" attached to the Report from the Community Planning Department dated October 5, 2015.

**Carried**

### 3.6 3461 Scott Road, BL11153 (Z15-0042) - Frank & Dawn Filice

Moved By Councillor Gray/Seconded By Councillor Given

**R763/15/10/05** THAT Bylaw No. 11153 be read a first time.

**Carried**

### 3.7 2982 Volterra Court, Z15-0039 - Franklin Talbot

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

**R764/15/10/05** THAT Rezoning Application No. Z15-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 20, Section 22, Township 23, ODYD, Plan KAP70243, located on 2982 Volterra Court, Kelowna, BC from the CD6 - Comprehensive Residential Golf Resort to RU1 - Large Lot Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

**Carried**

### 3.8 2982 Volterra Court, BL11155 (Z15-0039) - Franklin Talbot

Moved By Councillor Donn/Seconded By Councillor Gray

**R765/15/10/05** THAT Bylaw No. 11155 be read a first time.

**Carried**

### 3.9 720 Valley Road, DP15-0161 - 1033677 BC Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Hodge

**R766/15/10/05** THAT Council authorizes the issuance of Development Permit No. DP15-0161 for Lot 1, Sections 32 and 29, Township 26 ODYD, Plan EPP24068, located at the intersection of Glenmore Road and Summit Drive, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscape architect;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

### 3.10 653 Harvey Avenue, 1770 Richter Street, 1800 Richter Street, 1775 Chapman Place, TA15-0003 & OCP15-0008 - 1017476 BC Ltd. et al -Central Green Public Consultation Update - Supplemental Report

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Sieben

**R767/15/10/05** THAT Council receives, for information, the Supplemental Report from the Community Planning Department dated October 5, 2015 with respect an update regarding the Central Green Public Consultation;

AND THAT OCP Amending Bylaw No. 11119 (OCP15-0008) and Zoning Text Amendment Bylaw No. 11118 (TA15-0003) be forwarded to the November 3, 2015 Public Hearing for further consideration.

Carried

#### 4. Bylaws for Adoption (Development Related)

##### 4.1 545 Radant Road, BL11052 (Z14-0053) - Stacey Lynn Fenwick

Moved By Councillor Singh/Seconded By Councillor Sieben

**R768/15/10/05** THAT Bylaw No. 11052 be adopted.

Carried

## 5. Non-Development Reports & Related Bylaws

### 5.1 Kelowna Water Utility - Consumption Update

Staff:

- Displayed a PowerPoint presentation summarizing the report and responded to questions from Council.

Moved By Councillor Gray/Seconded By Councillor Sieben

**R769/15/10/05** THAT Council receives, for information, the report from the Utility Services Manager dated October 5, 2015 with respect to Kelowna Water Utility - Consumption Update,

AND THAT Council directs staff to bring forward amendments to the Water Regulation Bylaw to provide authority to implement a watering restriction program for the management of the water utility as described in the report from the Utility Services Manager dated October 5, 2015 with respect to Kelowna Water Utility - Consumption Update,

AND THAT Council directs staff to bring forward amendments to the Water Regulation Bylaw and Bylaw Notice Enforcement Bylaw to provide for enforcement options for when voluntary compliance efforts have been unsuccessful.

**Carried**

### 5.2 Overview of 2016 Cultural Grants

Staff:

- Displayed a PowerPoint presentation outlining the 2016 Cultural Grants Programs and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Hodge

**R770/15/10/05** THAT Council receives, for information, the overview of 2016 Cultural Grants as contained in the report dated October 5, 2015 from the Cultural Services Manager;

AND THAT Council approves the guidelines for the 2016 Professional Operating Grants, the 2016 General Operating Grants, the 2016 Project Grants and the 2016 Organization Development Grants as recommended in the report dated October 5, 2015 from the Cultural Services Manager;

AND FURTHER THAT Council directs staff to provide, for information, a list of the 2016 recipients in the Operating, Project and Organization Development programs, as well as a summary of achievements, benefits and impact arising from grants awarded in these programs in 2015.

**Carried**

### 5.3 2016 Permissive Tax Exemption Bylaw No. 11145

Councillor Stack declared a conflict of interest on this item and the accompanying bylaw due to his employer being a potential recipient of a 2016 permissive tax exemption and left the meeting at 3:31

Staff:

- Provided an overview of the 2016 Permissive Tax Exemption Policy and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Given

**R771/15/10/05** THAT Council receives, for information, the Report from the Revenue Manager dated October 5, 2015 with respect to the 2016 Permissive Tax Exemption Bylaw;

AND THAT Bylaw No. 11145, being the 2016 Permissive Tax Exemption Bylaw be forwarded for reading consideration.

**Carried**

#### **5.4 BL11145 - 2016 Permissive Tax Exemption Bylaw**

Moved By Councillor Hodge/Seconded By Councillor Sieben

**R772/15/10/05** THAT Bylaw No. 11145 be read a first, second and third time.

**Carried**

Councillor Stack rejoined the meeting at 3:50 p.m.

#### **5.5 Amendments to the Development Cost Charge Reserve Fund Expenditure Bylaw, 2015**

Staff:

- Provided an overview of the amendments to the City's 2015 Development Cost Charge Reserve Fund.

Moved By Councillor Donn/Seconded By Councillor Stack

**R773/15/10/05** THAT Council receives, for information, the Report from the Financial Services Director dated October 5, 2015 with respect to the repeal of the Development Cost Charge Reserve Fund Expenditure Bylaw;

AND THAT Bylaw No. 11156 being the amended 2015 Development Cost Charge Reserve Fund Expenditure Bylaw, 2015 No. 11156 be advanced for reading consideration.

**Carried**

#### **5.6 BL11156 - Development Cost Charge Reserve Fund Expenditure Bylaw, 2015**

Moved By Councillor Singh/Seconded By Councillor Sieben

**R774/15/10/05** THAT Bylaw No. 11156 be read a first, second and third time.

**Carried**

#### **5.7 1595 Glenmore Road - Farm Lease to Diamond T Ranch**

Staff:

- Displayed a PowerPoint presentation outlining the Farm Lease to Diamond T Ranch.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R775/15/10/05** THAT Council approves the City entering into a four (4) year Lease Agreement, with Diamond T Ranch, for the purpose of farming, with no further option to renew, in the form attached to the Report of the Manager, Property Management, dated October 5, 2015;

AND THAT the Mayor and City Clerk be authorized to execute the Lease Agreement.

**Carried**

## 6. Bylaws for Adoption (Non-Development Related)

### 6.1 1659-1683 Ethel Street (Portion of), BL11130 - Road Closure Bylaw

The Mayor invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.

No one came forward.

Moved By Councillor Singh/Seconded By Councillor Sieben

R776/15/10/05 THAT Bylaw No. 11130 be adopted.

**Carried**

## 7. Mayor and Councillor Items

Councillor Given:

- Congratulated Councillor DeHart on the success of the Drive-Through Breakfast for United Way event.

Councillor Gray:

- Spoke to the KLO Middle School Fasciaux Creek restoration project.

Councillor Hodge:

- Spoke to his attendance at the Scarecrow Festival.

Councillor Sieben:

- Spoke to his attendance at the Scarecrow Festival.
- Congratulated Councillor DeHart on the success of the Drive-Through Breakfast for United Way event.

Councillor Singh:

- Congratulated Councillor DeHart on the success of the Drive-Through Breakfast for United Way event.
- Spoke to her attendance on behalf of Mayor and Council at the Sister's in Spirit Event at the Kelowna Friendship Centre.

Councillor Stack:

- Spoke to his attendance at the Grand Opening of the Bardel Animation Studio and their successful launch.

Mayor Basran:

- Spoke to his attendance at the Grand Opening of the Bardel Animation Studio and noted that it is due to the City's dark fiber infrastructure that Bardel located in Kelowna.

## 8. Termination

This meeting was declared terminated at 4:00 p.m.

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Mayor

/acm

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City Clerk